

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 02-23682-CIV-MARTINEZ/MCALILEY

STEVE BROTHER,

Plaintiff,

v.

FLORIDIAN HOTEL, INC.,

Defendant.

ORDER DIRECTING CORPORATION

Pending before the Court is Plaintiff's Motion for Court Enforcement of Stipulation For Settlement, and Request for Evidentiary Hearing, which asks the Court to enforce a settlement agreement entered into in 2003. [DE 10]. Defendant, a corporation, has responded to the motion through its vice president and treasurer. [DE 21, p. 8]. It is well-settled that a corporation may not represent itself. A "corporation is an artificial entity that can only act through its agents, cannot appear *pro se*, and must be represented by counsel." *Palazzo v. Gulf Oil Corp.*, 764 F.2d 1381, 1385 (11th Cir. 1985). Based on the foregoing, the Court ORDERS that:

Defendant Floridian Hotel, Inc. shall have until January 31, 2012, to retain new counsel who shall file a notice of appearance with this Court as of that date. If Defendant fails to obtain counsel and give this Court notice of new counsel's appearance as required

by this Order, this Court will entertain a motion by Plaintiff for entry of a default final judgment against Defendant.

DONE and ORDERED in chambers in Miami, Florida this 4th day of January, 2012.

A handwritten signature in black ink, appearing to read "Chris McAliley", is written over a horizontal line.

CHRIS McALILEY
UNITED STATES MAGISTRATE JUDGE

cc:
The Honorable Jose E. Martinez
Counsel of record

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